

Assembly Bill No. 1042

CHAPTER 746

An act to amend Section 12713 of the Government Code, relating to tribal gaming, and making an appropriation therefor.

[Approved by Governor October 11, 2013. Filed with
Secretary of State October 11, 2013.]

To the Members of the California State Assembly:

I am signing Assembly Bill 1042 but reducing the amount appropriated from the Indian Gaming Special Distribution Fund as noted below.

I am committed to providing support to local government agencies impacted by gaming but I continue to have serious concerns about the long-term solvency of the Indian Gaming Special Distribution Fund. There is a structural imbalance which needs to be addressed.

I have made a concerted effort to negotiate compacts which will begin to address the problem. Opposition, however to two recently negotiated compacts has prevented the revenue which would have been generated to benefit this special fund. This had led to a potential shortfall and subsequent pressure on the General Fund.

For these reasons I am reducing the appropriation from \$13,000,000 to \$9,100,000.

Sincerely,

EDMUND G. BROWN JR., Governor

LEGISLATIVE COUNSEL'S DIGEST

AB 1042, Hall. Indian Gaming Special Distribution Fund.

Existing law creates in the State Treasury the Indian Gaming Special Distribution Fund for the receipt and deposit of moneys received by the state from certain Indian tribes pursuant to the terms of gaming compacts entered into with the state. Existing law authorizes moneys in that fund to be used for specified purposes, including for grants for the support of state and local government agencies impacted by tribal government gaming. Existing law, until January 1, 2021, establishes the method of calculating the distribution of appropriations from the Indian Gaming Special Distribution Fund for those grants to local government agencies impacted by tribal gaming and requires the Department of Finance, in consultation with the California Gambling Control Commission, to calculate the total revenue in the Indian Gaming Special Distribution Fund that will be available for the current budget year for the local government agencies.

This bill would require the Department of Finance, in consultation with the California Gambling Control Commission, to calculate and provide a recommendation regarding the total revenue in the Indian Gaming Special Distribution Fund that will be available for the current budget year for the local government agencies. The bill would require the department, in making its recommendation, to consider any anticipated revenue from additional

tribal gaming operations. The bill would additionally require the department to include certain information with the recommendation, including, among other things, the total amount of payments projected to be received into the Indian Gaming Special Distribution Fund during the current budget year, as specified, and the amount of appropriations made each budget year in the previous 10 years from the fund for local government agencies impacted by tribal gaming pursuant to certain tribal-gaming compacts.

This bill would appropriate \$13 million from the Indian Gaming Special Distribution Fund to the California Gambling Control Commission to provide grants to local agencies for the 2013–14 fiscal year, as described above.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 12713 of the Government Code is amended to read:

12713. (a) The Department of Finance, in consultation with the California Gambling Control Commission, shall calculate and provide a recommendation regarding the total revenue in the Indian Gaming Special Distribution Fund that will be available for the current budget year for local government agencies impacted by tribal gaming. The department, in making its recommendation, shall consider anticipated revenue from any additional tribal gaming operations.

(b) The following information shall be included with the recommendation described in subdivision (a):

(1) The total amount of payments projected to be received into the Indian Gaming Special Distribution Fund during the current budget year in accordance with tribal-gaming compacts ratified pursuant to Section 12012.25.

(2) The total amount of payments received into the Indian Gaming Special Distribution Fund during the previous budget year in accordance with tribal-gaming compacts ratified pursuant to Section 12012.25.

(3) The total number of tribes that make payments into the Indian Gaming Special Distribution Fund in accordance with tribal-gaming compacts ratified pursuant to Section 12012.25.

(4) The name of each tribe that makes payments into the Indian Gaming Special Distribution Fund in accordance with tribal-gaming compacts ratified pursuant to Section 12012.25.

(5) The amount of appropriations made each budget year in the previous 10 years from the Indian Gaming Special Distribution Fund for local government agencies impacted by tribal gaming pursuant to Section 12012.85.

(c) The department shall include the information required by this section in the May budget revision.

SEC. 2. The amount of thirteen million dollars (\$13,000,000) is hereby appropriated from the Indian Gaming Special Distribution Fund to the

California Gambling Control Commission to provide grants to local agencies pursuant to Section 12715 of the Government Code for the 2013–14 fiscal year.

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